

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

LARRY C. WISE,

Plaintiff,

Case No. 10-CV-11438

v.

HON. GEORGE CARAM STEEH

STATE OF MICHIGAN,

Defendant.

ORDER DENYING PLAINTIFF'S MOTION FOR SUMMARY
DECLARATORY JUDGMENT ON THE PLEADINGS (#3)

Plaintiff Larry Wise, appearing pro se, filed a motion requesting summary declaratory judgment on the pleadings, pursuant to Federal Rule of Civil Procedure 57. Rule 57 provides that the "court may order a speedy hearing of a declaratory-judgment action." In light of the standing issues raised but not fully addressed in defendant's motion to dismiss, the court believes it would be inappropriate to address the merits of the declaratory judgment request at this time. The court must first determine whether the declaratory judgment claim is properly before this court. Therefore, plaintiff's motion is DENIED without prejudice.

Dated: March 29, 2011

S/George Caram Steeh
GEORGE CARAM STEEH
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record and
Larry Wise, P.O. Box 356, Byron, MI 48418 on
March 29, 2011, by electronic and/or ordinary mail.

s/Marcia Beauchemin
Deputy Clerk